

California's State Classification System for Marine Managed Areas

**Draft Report of the
State Interagency
Marine Managed Areas Workgroup**

Resources Agency of California

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EXECUTIVE SUMMARY

In 1997 the Resources Agency released an analysis which found that California's array of ocean and coastal managed area designations (such as Reserves, State Reserves, Refuges, State Parks, Natural Reserves, etc.) is complex and often confusing. The 18 marine or estuarine and 6 terrestrial classifications and sub-classifications for state-managed areas along the coast have evolved over the last 50 years on a case-by-case basis through legislative and administrative actions and by public referendum.

The Ocean Agenda recommended that the state evaluate the array of designations to develop a more effective and less complicated statewide system of ocean and coastal managed areas. It further recommended developing a comprehensive program, with clear criteria for creating, administering, and enforcing management measures in these areas. To address this issue, the Resources Agency convened the State Interagency Marine Managed Areas Workgroup to better define and evaluate state marine managed area classifications.

This draft report, and its recommendations for improving the organizational system and management of the array of state marine managed areas in California, is the result of a collaborative effort by workgroup members spanning a ten-month period. The workgroup conducted its deliberations, where possible, in cooperation with other MMA efforts that were underway in California. The comprehensive set of findings and recommendations address such issues as designing a more manageable classification system, the site proposal and designation process, management and enforcement within designated areas, and improving public education, research, monitoring and evaluation activities.

SYSTEM OF MARINE MANAGED AREAS DEFINED

In its deliberations, it was important for the interagency workgroup to first define the term "marine managed areas" (MMAs) and distinguish it from the more commonly known term "marine protected areas" (MPAs). The term "MPA" is typically used to describe those areas of intertidal or subtidal terrain that are reserved by law or regulation for the protection of part or all of the resources within the defined areas. For this project, the workgroup chose the following definition for MMAs:

Marine managed areas are named, discrete geographic marine and estuarine areas along the California coast designated using legislative, administrative or voter initiative processes, and intended to protect, conserve or otherwise manage a variety of resources and uses.

In this report, the interagency workgroup has also used the term "array" to describe the existing group of MMA classifications and individual sites, rather than using the more common term "system" of MMAs. The interagency workgroup determined that the term "array" more correctly describes the group of state classifications and designated MMAs in California.

STATE MARINE MANAGED AREA CLASSIFICATIONS

The array of state MMAs in California is the result of years of designations through legislative, administrative and statewide ballot initiative actions. Designations have, for the most part, been made on a case-by-case basis or in an attempt by a single organization to represent a diversity of regions or habitats through multiple classifications. In situations when specific areas require protection, a new classification has often been developed rather than using a previously established one. As a result, there are currently 18 classifications and sub-classifications within which MMAs can be designated in the marine or estuarine environment along the California coast. Only 15 of these classifications have actually been used.

In general, state MMAs are designated in California for a diversity of purposes, from protecting all living marine resources or a specified set of species to enhancing public recreation or preserving cultural resources. Classifications with similar sounding names (such as Ecological Reserve, State Reserve and Reserve) often have very different purposes. In addition, the limited number of management objectives, coupled with the large number of classifications, has resulted in an overlap in the intent of certain classifications. The State Interagency Marine Managed Areas Workgroup identified these, and many other issues, in the following analysis of state MMA classifications.

ANALYSIS AND RECOMMENDATIONS REGARDING THE STATE CLASSIFICATION SYSTEM FOR MARINE MANAGED AREAS

The State Interagency Marine Managed Areas Workgroup makes a number of observations and recommendations for California's state MMAs relative to:

- Purpose and Design
- Management and Enforcement
- Public Education and Outreach
- Evaluation and Research

In each of the four sections, specific findings and associated recommendations are offered for improvements related to all California MMAs. These findings and recommendations are only summarized here, whereas the main report contains more detailed explanations. In most cases, implementing the recommendations will require legislative or administrative action. In all cases, implementing the recommendations will require inter-governmental cooperation, as well as collaboration with the public and private industry.

A. Purpose and Design

There is no overall mission, policy goal, or comprehensive program in place to guide the development of a logical and unified organizational system of state MMAs in California. This lack of purpose, direction and collaboration results in inconsistent terminology and site selection; a lack of standardized designation, research, and evaluation criteria; an inability to

evaluate the effectiveness of the system; confusion over agency roles and responsibilities; and insufficient attention to funding needs.

Finding. Existing state classifications and sites do not comprise an organized system of marine managed areas in California.

Recommendation A-1. The array of MMA classifications and the designation and management of individual sites needs to be redesigned as an organized system.

Finding. There are too many state classifications for MMAs.

Finding. Goals and objectives for some classifications are too broad or unclear.

Recommendation A-2. A new classification system for state MMAs is needed and should include, at a minimum, classifications for (1) prohibiting the extraction of living and non-living marine resources, (2) limiting the extraction of living and non-living marine resources, and (3) protecting or enhancing water quality, preserving cultural resources or enhancing or restricting recreational activities.

The chart below summarizes three possible options (A, B and C) for classification systems that meet these needs. Table 1 can be found at the end of the complete report.

Summary of Table 1

NAME OF AREA AND DEFINITION	OPTION A	OPTION B	OPTION C
Marine (Estuarine) Reserve Protects all living and non-living marine resources from commercial and recreational exploitation, and may limit non-consumptive recreational uses that would compromise such protection.	X	X	X
Marine (Estuarine) Park Protects all living and non-living marine resources and cultural or recreational features from commercial exploitation, while allowing public use, enjoyment and education in a manner consistent with protecting resource values.		X	X
Marine (Estuarine) Conservation Area Limits commercial, recreational or a combination of commercial and recreational exploitation of living and non-living marine resources (may include cultural or recreational features).			X
Marine (Estuarine) Conservation Area Limits commercial, recreational or a combination of commercial and recreational exploitation of living and geological marine resources.	X	X	
Marine (Estuarine) Cultural Preservation Area Protects all cultural resources from commercial or recreational exploitation.	X	X	

Marine (Estuarine) Recreational Management Area Provides recreational opportunities while preserving basic resource values.	X	X	
Water Quality Protection Area Prohibits or limits point source waste and thermal discharges by special conditions. Controls nonpoint source pollution to the extent practicable.	X	X	X

Recommendation A-3. Following implementation of Recommendations A-1 and A-2, existing MMAs should be evaluated for integration into the new system.

Finding. There is no consistent site designation process.

Recommendation A-4. Designation guidelines should be established for each classification, including a requirement that any new designations be considered within the context of existing state, federal and local sites.

Recommendation A-5. The site designation process must be made more consistent among designating entities.

Recommendation A-6. Site proposals should be made more consistent.

B. Management and Enforcement

Although classification goals are sometimes identified in statute or regulation, the level of resource protection among sites within that classification may vary substantially. Agency personnel and the public are often confused about the laws, rules and regulations that apply to MMAs, especially those adjacent to a terrestrial component. Designation of sites and subsequent promulgation of regulations often occurs without adequate consideration being given to overall classification goals and objectives. This has contributed to fragmented management, reduced compliance and a lack of effective enforcement.

Finding. Individual sites within the same classification (e.g., Ecological Reserve) sometimes have substantially different levels of protection and management.

Recommendation B-1. Management of MMAs within classifications must be made more consistent throughout the MMA system to simplify the sets of rules and regulations to which users must adhere.

Finding. Enforcement is sometimes inadequate in state MMAs.

Recommendation B-2. Managing agencies should develop enforcement plans for existing MMAs (where such plans are not already in place), and proposed MMA sites should not be designated unless an approved enforcement plan exists.

C. Education and Outreach

Education and outreach related to state MMAs is limited and responsibility for these activities is distributed across many state agencies. These factors hamper the distribution of information to the public and resource managers regarding laws, rules and regulations applicable to state MMAs. In addition, there are few coordinated efforts to identify opportunities for public/private partnerships or public stewardship of MMAs, or to provide access to general information and data about ocean and coastal resources within California's MMAs.

Finding. There is inadequate communication with the public about classification goals and objectives, and specific site regulations.

Recommendation C-1. Public education and outreach should be better supported and coordinated among agencies involved with MMAs.

Finding. Data and information about California's state MMAs, including research and monitoring information, are not easily accessible and lack consistency.

Recommendation C-2. Data and information about California's MMAs should be made more readily accessible and consistent, including information about past, current and proposed research and monitoring activities.

D. Evaluation and Research

Research in California's MMAs can provide managers with a wealth of knowledge regarding habitat functions and values, species diversity, and other complex physical, biological, chemical, and socio-economic processes that affect the health of marine ecosystems. In addition, such information can be useful in determining the effectiveness of particular sites or classifications in achieving stated goals. In general, ocean and coastal scientists and managers know far less about the natural systems they work with than their terrestrial counterparts. Even basic information such as habitat distribution and species identification along the California coast is insufficient. In addition, understanding natural and human-induced factors that affect ocean ecosystem health, and specifically MMAs, is fundamental to the process of developing sound management policies.

Finding. There are no standard criteria for evaluating the effectiveness of MMAs.

Recommendation D-1. An evaluation process and performance objectives should be established for determining the effectiveness of MMA sites and classifications in fulfilling their intended purpose.

Finding. Research and monitoring activities in state MMAs are limited and coordination of such activities is insufficient.

Recommendation D-2. Research that improves the monitoring or evaluation of state MMAs should be enhanced, encouraged and coordinated.

Recommendation D-3. General research related to California's marine resources and ecology should be encouraged and supported whenever possible.

CONCLUSION

Through a mix of legislative and administrative actions, California's array of state marine managed areas can be re-designed as a system to more effectively protect ocean and coastal resources. This will require cooperation from the various interested parties to determine the most appropriate actions for creating such a system. The findings and recommendations in this report are intended to establish the foundation for these future action.